

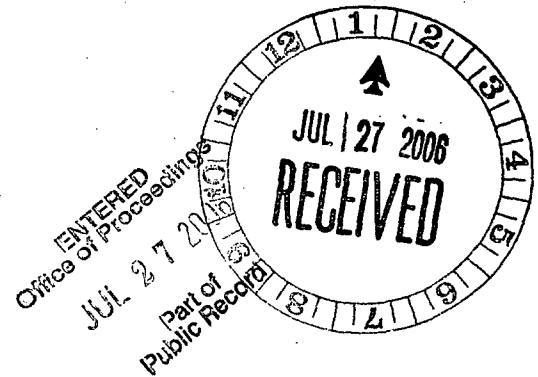
217154

Mack H. Shumate, Jr.
Senior General Attorney, Law Department

July 27, 2006

VIA U.P.S. OVERNIGHT

Mr. Vernon Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001



RE: Proposed Abandonment of the Waxahachie Industrial Lead from Milepost 798.03 to Milepost 802.60, a distance of 4.57 miles in Ellis County, Texas; STB Docket No. AB-33 (Sub-No. 229X)

Dear Mr. Williams:

The Union Pacific Railroad Company, (Union Pacific), has received a request from the City of Waxahachie, Texas, for a 90 day extension of its Notice of Interim Trail Use pursuant to 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 regarding that portion of the Union Pacific's right-of-way known as the Waxahachie Industrial Lead from M.P. 798.03 near Waxahachie to M.P. 802.60 near Nena, a distance of 4.57 miles in Ellis County, Texas. The Union Pacific is willing to continue negotiating with the City of Waxahachie concerning the acquisition of the subject property for trail use and supports the City of Waxahachie's request to negotiate for an additional 90 day period. A copy of the City of Waxahachie's request is attached hereto as Exhibit "A" and hereby made a part hereof.

Ten (10) additional copies of this letter and exhibit are enclosed for the Board's use and distribution.

Very truly yours,

Mack H. Shumate, Jr.

Enclosures

cc: City of Waxahachie

Toleda Stokes (STB)
202/565-9004

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CHAPMAN & CHAPMAN LLP

ATTORNEYS AND COUNSELORS

CITIZENS NATIONAL BANK - UPTOWN
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WAXAHACHIE, TEXAS 75165

OR

P. O. BOX 641
WAXAHACHIE, TEXAS 75168

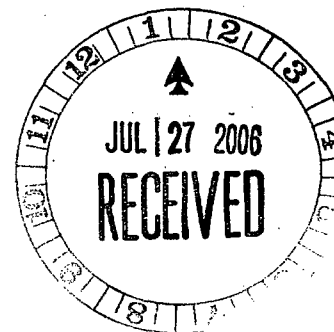
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JUL 25 2006

LAW DEPARTMENT
UNION PACIFIC RR CO.RICHARD F. CHAPMAN (1903-1987)
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FAX (972) 937-9446

July 14, 2006

Vernon A. Williams, Secretary
Surface Transportation Board
Case Control Unit, Suite 713
1925 K Street, N.W.
Washington, DC 20423-0001Re: Docket No. AB-33 (Sub-No. 229X), Union Pacific Railroad Company-Abandonment
exemption--in Ellis County, Texas (Waxahachie Industrial Lead)

Dear Mr. Williams:

Enclosed please find an original and ten (10) copies of Request for Issuance of a Notice of Interim
Trail Use, for filing with the Board in the above-referenced matter. A copy is being sent served on
Applicant's representative.

The filing fee is waived for the City of Waxahachie, Texas.

Very truly yours,

CHAPMAN & CHAPMAN

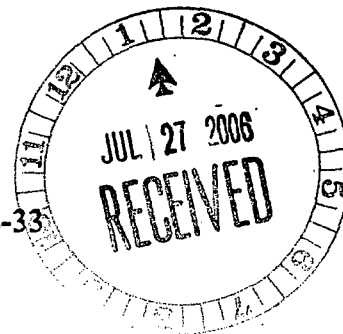
By: James S. Chapman
Attorney for the City of
Waxahachie, TexasJSC/sb
EnclosuresCC: Mack H. Shumate
Union Pacific Railroad
101 N. Wacker Dr., Room 1920
Chicago, IL 60606-1718

COPY

BEFORE THE
SURFACE TRANSPORTATION BOARD

UNION PACIFIC RAILROAD COMPANY §
ABANDONMENT EXEMPTION §
IN ELLIS COUNTY, TEXAS §
(WAXAHACHIE INDUSTRIAL LEAD) §

DOCKET NO. AB-33
(SUB-NO. 229X)



PETITION FOR EXTENSION OF
NOTICE OF INTERIM TRAIL USE

CITY OF WAXAHACHIE, TEXAS
401 S. Rogers
Waxahachie, Texas 75165

Proposed Trail User

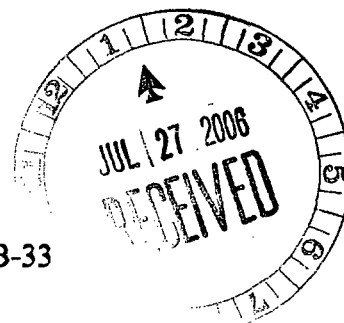
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(972) 937-9446 (fax)

Attorney for Proposed Trail User

BEFORE THE
SURFACE TRANSPORTATION BOARD

UNION PACIFIC RAILROAD COMPANY §
ABANDONMENT EXEMPTION §
IN ELLIS COUNTY, TEXAS §
(WAXAHACHIE INDUSTRIAL LEAD) §

DOCKET NO. AB-33
(SUB-NO. 229X)



PETITION FOR EXTENSION FOR OF
NOTICE OF INTERIM TRAIL USE

BACKGROUND

On February 1, 2006 the Surface Transportation Board ("Board") issued a Decision and Notice of Interim Trail Use or Abandonment the City of Waxahachie, Texas ("City") and Union Pacific Railroad Company ("UP") for the City and UP to be able to negotiate an agreement for interim trail use/railbanking for the Waxahachie Industrial Lead by July 31, 2006.

On April 13, 2006 the Board granted a request by the Texas Department of Transportation ("TXDOT") to replace the City in negotiating an agreement with UP for the subject rail line for the remaining time left on the 180 day period. The Board in its decision noted that as TXDOT had not filed for a NITU request, TXDOT could not be granted authority to replace the City with respect to trail use negotiations.

TXDOT has informed all interested parties within the last week that it will no longer negotiate for the purchase of the subject rail line. The City desires to continue negotiations to reach an agreement with UP, but having lost several months of negotiating time due to the abortive TXDOT intervention will need additional time beyond the July 31st deadline to negotiate such agreement.

CONCLUSION AND REQUESTED RELIEF

WHEREFORE, it is requested that the Board should issue a ninety (90) day extension for Notice of Trail Interim Use authorizing the City and UP to negotiate for rail banking, interim recreational trail use and potential acquisition in fee of the right-of-way involved in this proceeding.

CITY OF WAXAHACHIE, TEXAS
401 S. Rogers
Waxahachie, Texas 75165

Proposed Trail User

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JAMES S. CHAPMAN

Attorney for Proposed Trail User